

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JHOANA JUCA, et al.,

Plaintiffs,

-against-

DAVID C. BANKS, et al.,

Defendants.

USDC SDNY
DOCUMENT
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DATE FILED: 05/16/2023

23-CV-3508 (JHR) (BCM)

ORDER

BARBARA MOSES, United States Magistrate Judge.

For the reasons discussed on the record during today's conference, it is hereby ORDERED that:

1. Plaintiffs' application for injunctive relief (*see* Dkt. 7) is WITHDRAWN without prejudice to renewal.

2. The next status conference will take place on **June 27, 2023, at 11:00 a.m.** in Courtroom 20A of the Daniel Patrick Moynihan Courthouse. At that conference, the parties shall be prepared to discuss, for each final order identified in the Complaint, what amounts (if any) the parties believe to be owed by defendant New York City Department of Education (DOE) for tuition or related services, and why. To that end, no later than **June 22, 2023**, the parties shall file a joint status update letter including a list, compiled jointly, which shows, for each relevant final order:

- a. The amount of tuition, transportation fees, and/or nursing fees that plaintiffs believe to be due and owing by DOE;
- b. The amount of tuition, transportation fees, and/or nursing fees that DOE believes to be due and owing; and
- c. In the event of a disagreement, the parties shall succinctly describe the reason for that disagreement and attach any relevant documentation.

3. Defendants' deadline to answer or otherwise respond to the Complaint is EXTENDED to **July 7, 2023**, subject to further order of the Court.

4. The parties are reminded that they may consent, under 28 U.S.C. § 636(c), to conducting all proceedings before Judge Moses. Per the District Judge's Order dated May 10, 2023 (Dkt. 18), the parties are required to either (a) file a fully executed Notice, Consent, and Reference of Civil Action to a Magistrate Judge Form, or (b) file a joint letter advising the Court that they do not consent, no later than **May 17, 2023**.

Dated: New York, New York
May 16, 2023

SO ORDERED.

A handwritten signature in blue ink, appearing to read 'Barbara Moses', is written over a horizontal line.

BARBARA MOSES
United States Magistrate Judge